



FLORIDA FOUNDATION SEED PRODUCERS, INC.

CHARTERED BY THE STATE OF FLORIDA AS A NON-PROFIT CORPORATION TO INCREASE AND DISTRIBUTE
FLORIDA EXPERIMENT STATION BREEDER SEED

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May 29, 2003

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: Application No. 09/923,306
 Filing Date 08/07/2001
 First Named Inventor Wayne B. Sherman
 Confirmation No. 9984
 Art Unit 1661

Enclosed you will find the new pictures requested of 'Sunbest'. I am also enclosing a copy of our last correspondence and Certificate of Mailing.

Sincerely,

Thomas D. Stadslev
Manager

TDS/kj

Enclosures

NOTICE TO BUYER - Limitation on Warranty and Remedies: Florida Foundation Seed Producers, Inc. Warrants that all seed sold conform to the label description attached to the container with-in recognized tolerances under state and federal seed laws. There are no other warranties or representations as to these seeds, and the foregoing express warranty excludes all other warranties, express or implied, including without limitation, any implies warranty of merchantability of fitness for a particular purpose. Further, without limitation, Florida Foundation Seed Producers, Inc. makes no warranty, express or implied, as to crop yields of this seed or as to the response of this seed to any environmental condition, disease, insect infestation, chemical application, farming practices or other growing condition. The exclusive remedy for loss or damages due to breach of the express warranty set forth above or other cause is limited to the refund of the purchase price of the seed, and Florida Foundation Seed Producers, Inc., shall not be liable for any consequential damages resulting from any such breach. The buyer, by acceptance of this seed, agrees to the terms and conditions of this statement of limitation of warranty and remedies. Seed not accepted on these terms and conditions may be returned to Florida Foundation Seed Producers, Inc. in unopened containers within ten (10) days.



PTO/SB92 (08-00)

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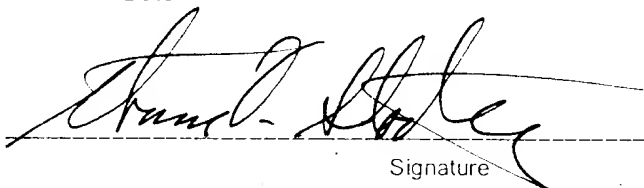
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Signature

Thomas D. Stadsklev

Typed or printed name of person of signing Certificate

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UNIVERSITY OF
FLORIDA



Institute of Food and Agricultural Sciences
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February 27, 2003

1143 Fifield Hall
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Wendy C. Hass, examiner
United States Patent and Trademark Office
Washington, D.C. 20231

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Dear Ms. Hass:

This correspondence refers to plant patent application no. 09/923,306 of art unit 1661, confirmation no. 9984. The sunbest nectarine was released on July 17 2001 (see attached memo from Dean of Research, Dr. Jones, and the patent was filed on 8/7/01. Budwood was released for commercialization in May 2002. Attempts are made to update flower and kernel characteristics in the botanical description as suggested. The photographs will be remade in mid-May, 2003, showing the pit in a cut fruit. They will be sent by June 1 as we discussed on the phone on February 26. Enclosed is a marked copy and a corrected copy for you use. Please substitute the revised copy for the original one submitted. Should you have additional suggestions for correction or clarification, please get back to me.

Sincerely,

Wayne B. Sherman
Wayne B. Sherman